

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:10-cv-08973-TPG**

Yorkshire Towers Company LP et al v. The Federal Transit
Administration et al
Assigned to: Judge Thomas P. Griesa
Related Case: 1:11-cv-01058-TPG
Cause: 05:552 Freedom of Information Act

Date Filed: 11/30/2010
Date Terminated: 05/09/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Yorkshire Towers Company LP

represented by **Erik J. Berglund**
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Plaintiff

Yorkshire Towers Tenants Association

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Jeffrey E. Glen
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Joseph J Ceccarelli
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Rene Frances Hertzog

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V.

Defendant

The Federal Transit Administration

represented by **Joseph Anthony Pantoja**
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Defendant

**The Metropolitan Transportation
 Authority**

represented by **Gordon Jay Johnson**
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 212-878-4633
 Fax: 212-878-1240
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ATTORNEY TO BE NOTICED

Defendant

**The Metropolitan Transportation
 Authority Capital Construction
 Company**

represented by **Gordon Jay Johnson**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/30/2010	<u>1</u>	COMPLAINT against The Federal Transit Administration, The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (Filing Fee \$ 350.00, Receipt Number 922562) Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association.(rdz) (Additional attachment(s) added on 12/1/2010: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (ama). (Entered: 12/01/2010)
11/30/2010		SUMMONS ISSUED as to The Federal Transit Administration, The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (rdz) (Entered: 12/01/2010)
11/30/2010		Magistrate Judge Andrew J. Peck is so designated. (rdz) (Entered: 12/01/2010)
11/30/2010		Case Designated ECF. (rdz) (Entered: 12/01/2010)
11/30/2010	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association.(rdz) (ama). (Entered: 12/01/2010)
12/13/2010	<u>3</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. served on The Metropolitan Transportation Authority Capital Construction Company. on 12/01/10. Service was accepted by Margaret E. Jackson-Waterman.. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Hertzog, Rene) (Entered: 12/13/2010)
12/13/2010	<u>4</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. served on The Metropolitan Transportation Authority. on 12/01/10. Service was accepted by Ann Cutler- General Counsel's Office.. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Hertzog, Rene) (Entered: 12/13/2010)

12/13/2010	<u>5</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. served on The Federal Transit Administration. on 12/01/10. Service was accepted by Aretha Charles--Process Service Clerk.. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Hertzog, Rene) (Entered: 12/13/2010)
12/13/2010	<u>6</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. served on Federal Transit Administration. on 12/01/10.. Service was made by Mail.. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Hertzog, Rene) (Entered: 12/13/2010)
12/21/2010	<u>7</u>	FIRST MOTION for Extension of Time to File Answer. Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (Attachments: # <u>1</u> Exhibit stipulation extending time to answer)(Johnson, Gordon) (Entered: 12/21/2010)
12/22/2010	<u>8</u>	ENDORSED LETTER: addressed to Judge Thomas P. Griesa from Joseph A. Pantoja dated 12/21/2010 re: the FTA writes with the consent of plaintiff, to request a thirty--day extension of the deadline for the FTA to answer or move with respect to the complaint, from January 3, 2011, to February 2, 2011. ENDORSEMENT: Approved. So Ordered. (Signed by Judge Thomas P. Griesa on 12/22/2010) (js) (Entered: 12/23/2010)
01/06/2011	<u>9</u>	ENDORSED LETTER addressed to Judge Thomas P. Griesa from Gordon J. Johnson dated 12/21/2010 re: Counsel requests an extension of time to 1/24/2011 to answer or move to dismiss the complaint. ENDORSEMENT: Approved. So Ordered. (Signed by Judge Thomas P. Griesa on 1/6/2011) (jfe) (Entered: 01/07/2011)
01/19/2011	<u>10</u>	FILING ERROR -- ELECTRONIC FILING FOR NON--ECF DOCUMENT(LETTER) -- SECOND MOTION for Extension of Time to File Answer on consent. Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company.(Johnson, Gordon) Modified on 1/25/2011 (ka). (Entered: 01/19/2011)
01/19/2011	<u>11</u>	FILING ERROR -- ELECTRONIC FILING FOR NON--ECF DOCUMENT(LETTER) -- SECOND MOTION for Extension of Time to File Answer re: <u>10</u> SECOND MOTION for Extension of Time to File Answer on consent(correcting date in letter motion). Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company.(Johnson, Gordon) Modified on 1/25/2011 (ka). (Entered: 01/19/2011)
01/20/2011	<u>12</u>	ENDORSED LETTER addressed to Judge Thomas P. Griesa from Gordon J. Johnson dated 1/19/2011 re: MTA and MTACC request an additional extension of time to 2/23/2011, to answer or move to dismiss the complaint. ENDORSEMENT: Approved., The Metropolitan Transportation Authority answer due 2/23/2011; The Metropolitan Transportation Authority Capital Construction Company answer due 2/23/2011. (Signed by Judge Thomas P. Griesa on 1/20/2011) (jar) (Entered: 01/20/2011)
01/20/2011		***DELETED DOCUMENT. Deleted document number 13 ENDORSED LETTER. The document was incorrectly filed in this case. (jpo) (Entered: 02/07/2011)
02/02/2011	<u>14</u>	ANSWER to Complaint. Document filed by The Federal Transit Administration. (Attachments: # <u>1</u> Certificate of Service on Plaintiffs and the MTA Defendants)(Pantoja, Joseph) (Entered: 02/02/2011)
02/02/2011	<u>15</u>	NOTICE OF CHANGE OF ADDRESS by Gordon Jay Johnson on behalf of The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. New Address: Metropolitan Transportation Authority, Office of General Counsel, 347 Madison Ave. -- 9th Fl., New York, NY, USA 10017, 212--878--4633. (Johnson, Gordon) (Entered: 02/02/2011)
02/09/2011	<u>16</u>	ORDER: Defendants' Motion for Extension of Time to File Answer (dkt #7) is denied as moot. So Ordered. (Signed by Judge Thomas P. Griesa on 2/9/2011) (js) (Entered: 02/09/2011)

02/23/2011	<u>17</u>	MOTION to Dismiss <i>Complaint</i> . Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. Responses due by 3/10/2011 Return Date set for 3/17/2011 at 05:00 PM.(Johnson, Gordon) (Entered: 02/23/2011)
02/23/2011	<u>18</u>	MEMORANDUM OF LAW in Support re: <u>17</u> MOTION to Dismiss <i>Complaint</i> .. Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (Johnson, Gordon) (Entered: 02/23/2011)
02/25/2011		Minute Entry for proceedings held before Judge Thomas P. Griesa: Initial Pretrial Conference held on 2/25/2011. (mro) (Entered: 03/03/2011)
03/23/2011	<u>19</u>	STIPULATION BETWEEN PLAINTIFFS AND DEFENDANT STATE PUBLIC AUTHORITIES AND SUBSIDIARY AND EXECUTIVES (COLLECTIVELY THE "MTA") EXTENDING TIME TO ANSWER IN RELATED CASE AND PLAINTIFFS' TIME TO OPPOSE MOTION TO DISMISS BY MTA IN FIRST CASE PENDING SETTLEMENT CONFERENCE: The Federal Transit Administration answer due 4/25/2011; The Metropolitan Transportation Authority answer due 4/25/2011; The Metropolitan Transportation Authority Capital Construction Company answer due 4/25/2011. (Responses due by 4/25/2011, Replies due by 5/2/2011.) (Signed by Judge Thomas P. Griesa on 3/23/2011) (jar) (Entered: 03/23/2011)
03/23/2011	<u>20</u>	STIPULATION AND ORDER REGARDING RELEASE OF CONFIDENTIAL INFORMATION FOR SETTLEMENT DISCUSSIONS: The Parties agree and consent, and the Court hereby orders the following in accordance with Rule 26(c) of the Federal Rules of Civil Procedure. (See order.) (Signed by Judge Thomas P. Griesa on 3/23/2011) (jar) (Entered: 03/23/2011)
05/05/2011	<u>21</u>	STIPULATION BETWEEN PLAINTIFFS AND DEFENDANT STATE PUBLIC AUTHORITIES AND SUBSIDIARY AND EXECUTIVES (COLLECTIVELY THE "MTA") AND FEDERAL DEFENDANTS EXTENDING TIME TO ANSWER IN RELATED CASE AND PLAINTIFFS' TIME TO OPPOSE MOTION TO DISMISS BY MTA IN FIRST CASE PENDING SETTLEMENT DISCUSSIONS: 1. Each of the above Recitals are incorporated as if fully set forth here. 2. The MTA Defendants and the FTA Defendants' time to answer, or to move against the Complaint in the Environmental Case is extended from April 25, 2011 to May 25, 2011, pending the outcome of settlement negotiations by the Parties. 3. The time for Plaintiffs to serve their opposing papers to the MTA's and MTACCC's motion to dismiss the FOI Action (First Case, ECF Nos. 17 and 18), is extended from April 25, 2011 to May 25, 2011, pending the outcome of settlement negotiations by the Parties. Defendants MTA's and MTACCC's time to serve reply papers, if any, is extended to June 1, 2011. 4. The Parties may agree to further extensions of time set forth in paragraphs 2 and 3 above as may be helpful or necessary to pursue continuing settlement negotiations, or to conclude settlement terms and conditions. 5. This Stipulation may be signed, emailed or faxed in counterpart, and if so signed, emailed or faxed, shall be considered the equivalent of one fully signed agreement for all purposes. SO ORDERED. The Federal Transit Administration answer due 5/25/2011; The Metropolitan Transportation Authority answer due 5/25/2011. (Signed by Judge Thomas P. Griesa on 5/5/2011) (lnl) (Entered: 05/06/2011)
05/26/2011	<u>22</u>	SECOND STIPULATION BETWEEN PLAINTIFFS AND DEFENDANT STATE PUBLIC AUTHORITIES AND SUBSIDIARY AND EXECUTIVES (COLLECTIVELY THE "MTA") AND FEDERAL DEFENDANTS EXTENDING TIME TO ANSWER IN RELATED CASE AND PLAINTIFFS' TIME TO OPPOSE MOTION TO DISMISS BY MTA IN FIRST CASE PENDING SETTLEMENT DISCUSSIONS: (FIRST CASE: 10CV8973; RELATED CASE: 11CV1058); Each of the above Recitals are incorporated as if fully set forth here. The MTA Defendants and the FTA Defendants' time to answer, or to move against the Complaint in the Environmental Case is extended from May 25, 2011 to July 27, 2011, pending the outcome of settlement negotiations by the Parties. The time for Plaintiffs to serve their opposing papers to the MTA's and MTACCC's motion to dismiss the FOI Action (First Case, ECF Nos. 17 and 18), is extended from May 25, 2011 to July 27, 2011, pending the outcome of settlement

		negotiations by the Parties. Defendants MTA's and MTACC's time to serve reply papers, if any, is extended to August 4, 2011. The Parties may agree to further extensions of time set forth in paragraph 2 and 3 above as may be helpful or necessary to pursue continuing settlement negotiations, or to conclude settlement terms and conditions. (Signed by Judge Thomas P. Griesa on 5/25/2011) (tro) Modified on 5/31/2011 (tro). (Entered: 05/26/2011)
07/28/2011	<u>23</u>	THIRD STIPULATION BETWEEN PLAINTIFFS AND DEFENDANT STATE PUBLIC AUTHORITIES AND SUBSIDIARY AND EXECUTIVES (COLLECTIVELY THE "MTA") AND FEDERAL DEFENDANTS EXTENDING TIME TO ANSWER IN RELATED CASE AND MTA'S TIME TO ANSWER IN FIRST CASE PENDING SETTLEMENT DISCUSSIONS: The MTA Defendants and the FTA Defendants' time to answer, or to move against the Complaint in the Environmental Case is extended from July 27, 2011 to on or before September 27, 2011, pending the outcome of settlement negotiations by the Parties. Defendants MTA's and MTACC's motion to dismiss the FOI Action (First Case, ECF Nos. 17 and 18), is hereby withdrawn without prejudice to its refiling, and MTA and MT ACC shall move to dismiss or answer the complaint in the FOI Action on or before September 27, 2011, pending the outcome of settlement negotiations by the Parties. In the event that the motion to dismiss is refiled, Plaintiffs' time to serve their opposing papers shall be on or before October 4, 2011. (Signed by Judge Thomas P. Griesa on 7/28/2011) (jar) Modified on 8/2/2011 (jar). (Entered: 08/02/2011)
08/02/2011		Set/Reset Deadlines: The Federal Transit Administration answer due 9/27/2011; The Metropolitan Transportation Authority answer due 9/27/2011; The Metropolitan Transportation Authority Capital Construction Company answer due 9/27/2011. Motions due by 9/27/2011. Responses due by 10/4/2011 (jar) (Entered: 08/02/2011)
09/01/2011	<u>24</u>	FIRST MOTION to Dismiss <i>complaint</i> . Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company.(Johnson, Gordon) (Entered: 09/01/2011)
09/01/2011	<u>25</u>	MEMORANDUM OF LAW in Support re: <u>24</u> FIRST MOTION to Dismiss <i>complaint</i> .. Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (Johnson, Gordon) (Entered: 09/01/2011)
09/09/2011	<u>26</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Conference <i>Second Pre–Trial Conference under F.R.C.P. Rule 16 and Related Relief</i> . Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Attachments: # <u>1</u> Exhibit)(Ceccarelli, Joseph) Modified on 9/9/2011 (ldi). (Entered: 09/09/2011)
09/09/2011		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Joseph J Ceccarelli to RE–FILE Document <u>26</u> MOTION for Conference <i>Second Pre–Trial Conference under F.R.C.P. Rule 16 and Related Relief</i> . Use the event type Memorandum of Law in Support of Motion found under the event list Replies, Opposition and Supporting Documents. ***REMINDER*** You must first file a Motion, then re–file the Memorandum of Law and link to motion. (ldi) (Entered: 09/09/2011)
09/09/2011	<u>27</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Conference <i>Second Pre–Trial Conference under Fed. R. Civ. P. 16 and Related Relief</i> . Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit)(Ceccarelli, Joseph) Modified on 9/12/2011 (ldi). (Entered: 09/09/2011)
09/09/2011		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Joseph J Ceccarelli to RE–FILE Document <u>27</u> MOTION for Conference <i>Second Pre–Trial Conference under Fed. R. Civ. P. 16 and Related Relief</i> . ERROR(S): Supporting documents must be filed separately, each receiving their own document number. The Memorandum of Law in Support of Motion must be filed SEPARATELY. The event is located under event list Replies, Opposition and Supporting Documents. (ldi) (Entered: 09/12/2011)

09/12/2011	<u>28</u>	MOTION for Conference <i>Second Pre-Trial Conference under Fed. R. Civ. P. 16 and Related Relief</i> . Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association.(Ceccarelli, Joseph) (Entered: 09/12/2011)
09/12/2011	<u>29</u>	MEMORANDUM OF LAW in Support re: <u>28</u> MOTION for Conference <i>Second Pre-Trial Conference under Fed. R. Civ. P. 16 and Related Relief</i> .. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Attachments: # <u>1</u> Exhibit)(Ceccarelli, Joseph) (Entered: 09/12/2011)
09/14/2011	<u>30</u>	JOINT MEMORANDUM OF LAW in Opposition re: <u>28</u> MOTION for Conference <i>Second Pre-Trial Conference under Fed. R. Civ. P. 16 and Related Relief</i> .. Document filed by The Federal Transit Administration, The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (Karmel, Philip) (Entered: 09/14/2011)
09/21/2011	<u>31</u>	REPLY MEMORANDUM OF LAW in Support re: <u>28</u> MOTION for Conference <i>Second Pre-Trial Conference under Fed. R. Civ. P. 16 and Related Relief</i> .. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Ceccarelli, Joseph) (Entered: 09/21/2011)
09/21/2011	<u>32</u>	DECLARATION of Peter E. Varsalona in Support re: <u>28</u> MOTION for Conference <i>Second Pre-Trial Conference under Fed. R. Civ. P. 16 and Related Relief</i> .. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Attachments: # <u>1</u> Exhibit)(Ceccarelli, Joseph) (Entered: 09/21/2011)
09/22/2011		Minute Entry for proceedings held before Judge Thomas P. Griesa: Status Conference held on 9/22/2011. (mro) (Entered: 09/23/2011)
09/26/2011		Minute Entry for proceedings held before Judge Thomas P. Griesa: Show Cause Hearing held on 9/26/2011. (ft) (Entered: 09/26/2011)
10/04/2011	<u>33</u>	DECLARATION of Joseph J. Ceccarelli in Opposition re: <u>24</u> FIRST MOTION to Dismiss <i>complaint</i> .. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Ceccarelli, Joseph) (Entered: 10/04/2011)
10/04/2011	<u>34</u>	MEMORANDUM OF LAW in Opposition re: <u>24</u> FIRST MOTION to Dismiss <i>complaint</i> .. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Ceccarelli, Joseph) (Entered: 10/04/2011)
10/05/2011	<u>35</u>	TRANSCRIPT of Proceedings re: Conference held on 9/26/2011 before Judge Thomas P. Griesa. Court Reporter/Transcriber: Guido Tascione, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/31/2011. Redacted Transcript Deadline set for 11/10/2011. Release of Transcript Restriction set for 1/6/2012.(McGuirk, Kelly) (Entered: 10/05/2011)
10/05/2011	<u>36</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 9/26/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/05/2011)
10/05/2011	<u>37</u>	MEMORANDUM OF LAW in Opposition re: <u>24</u> FIRST MOTION to Dismiss <i>complaint</i> .. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association. (Glen, Jeffrey) (Entered: 10/05/2011)
10/11/2011	<u>38</u>	REPLY MEMORANDUM OF LAW in Support re: <u>24</u> FIRST MOTION to Dismiss <i>complaint</i> .. Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (Johnson, Gordon) (Entered: 10/11/2011)
10/11/2011	<u>39</u>	REPLY AFFIRMATION of Gordon J. Johnson in Support re: <u>24</u> FIRST MOTION to Dismiss <i>complaint</i> .. Document filed by The Metropolitan Transportation

		Authority, The Metropolitan Transportation Authority Capital Construction Company. (Attachments: # <u>1</u> Exhibit 1 – FTA Letter)(Johnson, Gordon) (Entered: 10/11/2011)
10/25/2011	<u>40</u>	MEMORANDUM OF LAW in Opposition to <i>Plaintiff's Motion for a Preliminary Injunction</i> . Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (Karmel, Philip) (Entered: 10/25/2011)
10/25/2011	<u>41</u>	DECLARATION of Philip E. Karmel in Opposition. Document filed by The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B – Declaration of Richard Paupst, # <u>3</u> Exhibit C – Declaration of Allyson Bechtel, # <u>4</u> Exhibit D – Declaration of Robert Montfort, # <u>5</u> Exhibit 1 To Montfort Declaration, # <u>6</u> Exhibit E – Declaration of Bradford C. Robinson, # <u>7</u> Exhibit 1 to Robinson Declaration, # <u>8</u> Exhibit F – Declaration of Anil Parikh, # <u>9</u> Exhibit 1 to Parikh Declaration)(Karmel, Philip) (Entered: 10/25/2011)
10/26/2011	<u>42</u>	ENDORSED LETTER addressed to Judge Thomas P Griesa from Joseph Ceccarelli dated 10/21/2011 re: Request by plaintiffs that the enclosed sur-reply MOL be received and considered. ENDORSEMENT: Sur-Reply allowed. (Signed by Judge Thomas P. Griesa on 10/26/2011) (cd) (Entered: 10/27/2011)
05/09/2012	<u>43</u>	STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, against the defendant(s) The Federal Transit Administration, The Metropolitan Transportation Authority, The Metropolitan Transportation Authority Capital Construction Company pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by Yorkshire Towers Company LP, Yorkshire Towers Tenants Association.(Ceccarelli, Joseph) (Entered: 05/09/2012)
05/10/2012	<u>44</u>	STIPULATION AND ORDER OF VOLUNTARY DISMISSAL: IT IS HEREBY STIPULATED by and between the attorneys for Plaintiffs Yorkshire Towers Company, LP. and Yorkshire Towers Tenants Association and Defendants The Federal Transit Administration, The Metropolitan Transportation Authority and The Metropolitan Transportation Authority Capital Construction Company and their respective counsel that the above-captioned action is voluntary dismissed, without prejudice against each of the Defendants pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Approved. SO ORDERED. (Signed by Judge Thomas P. Griesa on 5/10/2012) (ama) (Entered: 05/10/2012)